



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 03/07/06

AGENDA ITEM 7

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: City Clerk

SUBJECT: Adoption of an Ordinance Amending Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Territory in Connection with Zone Change Application PL 2005-0322 PD Relating to the Garin Vista Property in the Mission-Garin Annexation Area

RECOMMENDATION:

It is recommended that the City Council adopt the attached Ordinance.


BACKGROUND:

The ordinance was introduced at the February 21, 2006, meeting of the City Council with the following vote:

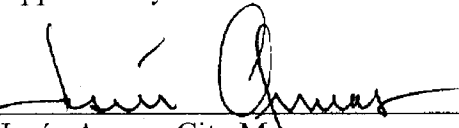
AYES:	Council Members:	Jimenez, Quirk, Ward, Henson
	Mayor:	Cooper
NOES:	Council Members:	Halliday, Dowling
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on March 1, 2006. Adoption at this time is therefore appropriate.

Prepared by:


Angelina Reyes, City Clerk

Approved by:


Jesús Armas, City Manager

Draft Ordinance

PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE BY THE CITY
COUNCIL OF THE CITY OF HAYWARD

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 1 OF THE HAYWARD MUNICIPAL CODE BY PREZONING CERTAIN TERRITORY IN CONNECTION WITH ZONE CHANGE APPLICATION PL-2005-0322 PD RELATING TO THE GARIN VISTA PROPERTY IN THE MISSION-GARIN ANNEXATION AREA

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Prezoning.

Article 1 of Chapter 10 of the Hayward Municipal Code is hereby amended to prezone the property located northeast of the intersection of Woodland Avenue and Bodega Street, west of Garin Regional Park, more particularly, Assessor Parcel Numbers 083-0125-001-13, 083-0265-003-01, and 083-0265-003-02, from Medium Density Residential (RMB4) District and Agricultural (AB10A) District to Planned Development (PD) District.

The City Council has adopted a companion resolution, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving Zone Change Application No. PL-2005-0322 PD and Vesting Tentative Map PL 2005-0323 TTM 7354, which findings contained therein are incorporated herein by reference.

Section 2. Severance.

Should any part of this ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid or beyond the authority of the City, such decision shall not affect the validity of the remainder of this ordinance, which shall continue in full force and effect, provided that the remainder of the ordinance, absent the excised portion, can be reasonably interpreted to give effect to intentions of the City Council.

Section 3. Effective Date.

This ordinance shall become effective immediately upon the effective date of the annexation of the Property by the Local Agency Formation Commission of Alameda County.

Introduced at a meeting of the Hayward City Council held February 21, 2006, the above-entitled ordinance was introduced by Council Member Quirk.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on March 7, 2006, at 8:00 p.m., in the Council Chambers, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

DATED: March 1, 2006

Angelina Reyes, City Clerk
City of Hayward